

EXHIBIT “1”

AFFIDAVIT FOR SUBSTITUTED SERVICE UNDER RULE 106/501.2(e)(1)

CAUSE/ASSESSMENT NO: 513DV498DAE

KIMBERLY HERAS, ON BEHALF OF HERSELF AND ALL OTHER SIMILARLY SITUATED

VS.

RAPID TAS, INC. RICHARD SOWELL AND KIMBERLY J. SOWELL

BEFORE ME the undersigned authority, on this day personally appeared WILLIAM AULTMAN who after being duly sworn, did upon oath state the following:

1. My name is WILLIAM AULTMAN : I am a private process server authorized to deliver process in this cause pursuant to court order. I am over the age of eighteen (18) years and am fully competent to testify to the matters stated in this affidavit. I have personal knowledge of the facts and statements contained in this affidavit and each is true and correct.
2. On the 10/16/13 I was assigned to deliver a copy of the FEDERAL SUMMONS AND COMPLAINT

upon the defendant Sowell, Richard

3. I have made several attempts to obtain personal service of process at the defendant's usual place of abode/business or by delivering by certified mail to the defendant's usual mailing address on the dates and times listed below:

DATES	TIMES	ADDRESS / RESULTS OF VISIT	Ref# A13A07876
10/21/2013	10:50 AM	2324 VILLAGE PATH NEW BRAUNFELS TX 78130 NO RESPONSE AT DOOR, LEFT DELIVERY NOTICE. NO NEIGHBORS COULD OR WERE HOME TO VERIFY ADDRESS.	
10/23/2013	12:45 PM	2324 VILLAGE PATH NEW BRAUNFELS TX 78130 UNITED STATES NO RESPONSE AT DOOR, LEFT DELIVERY NOTICE. NO NEIGHBORS COULD OR WERE HOME TO VERIFY ADDRESS.	
10/24/2013	8:57 pm	2324 Village Path New Braunfels TX 78130 NO RESPONSE AT DOOR, LEFT DELIVERY NOTICE. NO NEIGHBORS COULD OR WERE HOME TO VERIFY ADDRESS. NO VEHICLES PRESENT	
10/25/2013	12:09 pm	2324 VILLAGE PATH NEW BRAUNFELS TX 78130 UNITED STATES NO RESPONSE AT DOOR, LEFT DELIVERY NOTICE, ONE VEHICLE IN DRIVEWAY LICENSE BH63618 RICHARD SOWELL 9/14	
10/29/2013	9:23 AM	2324 VILLAGE PATH NEW BRAUNFELS TX 78130 NO RESPONSE AT DOOR, LEFT DELIVERY NOTICE. A NEIGHBOR CONFIRMED THIS IS A GOOD ADDRESS. I SPOKE TO GEORGE	
11/01/2013	1:09 PM	2324 VILLAGE PATH NEW BRAUNFELS TX 78130 NO RESPONSE AT DOOR, LEFT DELIVERY NOTICE. NO NEIGHBORS COULD OR WERE HOME TO VERIFY ADDRESS.	
11/02/2013	10:15 AM	2324 VILLAGE PATH NEW BRAUNFELS TX 78130 NO RESPONSE AT DOOR, LEFT DELIVERY NOTICE. NO NEIGHBORS COULD OR WERE HOME TO VERIFY ADDRESS.	
11/06/2013	4:15 pm	2324 Village Path New Braunfels TX 78130 NO RESPONSE AT DOOR, LEFT DELIVERY NOTICE. NO NEIGHBORS COULD OR WERE HOME TO VERIFY ADDRESS. NO VEHICLES PRESENT	

I believe the defendant will be given reasonably effective notice of this suit by delivering a true copy of the documents stated in item (2) above to anyone over sixteen years of age at 2324 VILLAGE PATH NEW BRAUNFELS TX 78130 the above address or by attaching it securely to the front entry way at the address, which is the party's usual place of abode or business, or by delivering First Class Mail pursuant to the provisions of Rule 106/501.2(e)(1), Texas Rules of Civil Procedure.

DATE: 11/7/13

AFFIANT'S SIGNATURE
SCH-7355

WILLIAM AULTMAN

SUBSCRIBED TO AND SWORN to before me this 7 day of November 2013

A13A07876
S13A00503

Natasha Aultman
Notary

